



**Government of
Saskatchewan**

Annual Report 1988

Saskatchewan Public and Private Rights Board

ANNUAL REPORT - 1988

PUBLIC AND PRIVATE RIGHTS BOARD

TABLE OF CONTENTS

	<u>PAGE</u>
Letter of Transmittal.....	1
Staff	2
Report on Activities	3

TABLES

Number of Investigations and Negotiations by the Board - Nature of each, 1988	9
Number of Investigations undertaken by the Board by Expropriating Authority Involved, 1988	10
Number of claims negotiated by the Board by Expropriating Authority Involved, 1988	11
Number of Investigations undertaken by the Board, 1978 - 1988	12
Number of Investigations undertaken by Expropriating Authority Involved, 1978 - 1988	13
Number of Claims Negotiated by the Board, 1978 - 1988	14
Number of Claims negotiated by the Board by Expropriating Authority Involved, 1978 - 1988	15



Saskatchewan
Public and Private
Rights Board

Saskatchewan

1120 - 1874 Scarth Street
Regina, Saskatchewan
S4P 3V7

. January 30, 1989

Honourable Grant Devine
President of the Executive Council

Dear Mr. Premier:

As per Section 6 (3) of the Expropriation Procedure Act
I have the honour to submit to you the Annual Report of
the Public and Private Rights Board for the period
January 1, 1988 to December 31, 1988.

Respectfully submitted,

PAD/mw

Pauline A. Duncan
Chairman

The Public and Private Rights Board staff as at
December 31, 1988:

Ms. Pauline A. Duncan, Chairman

Mr. Glen T. Hamilton, Director

Mrs. Marion Windrum, Secretary

REPORT ON ACTIVITIES

In 1988, the Public and Private Rights Board received thirty-four (34) requests from landowners to review matters relating to expropriation or intentions by expropriating authorities to acquire land. Of this total, twenty (20) were requests to review the route, situation or design of a public improvement or proposed public improvement as per Section Seven (7) of the Expropriation Procedure Act, and fourteen (14) were requests to review the amount of compensation offered as per Section Eight (8) of the Expropriation Procedure Act.

During 1988, the Public and Private Rights Board concluded its investigations and reviews, negotiations and mediations between landowners and expropriating authorities resulting from sixty-two (62) requests from landowners. Thirty-eight (38) of the cases concluded by the Board in 1988 were in regard to the route, situation or design of a public improvement. Twenty-six (26) of these included route, situation or design cases which had been brought to the Board's attention during 1986, while the remaining twelve (12) were requests for review made to the Board during 1988. Twenty-four (24) of the cases concluded by the Board during 1988 were in regard to the amount of compensation offered for expropriated lands. One (1) of the concluded compensation negotiations was from a case received and investigated by the Board commencing in 1985, nine (9) were from cases received and investigated by the Board

commencing in 1986, eleven (11) were from cases received and investigated by the Board commencing in 1987 and three (3) of the concluded compensation negotiations were from requests received and reviewed during 1988.

The disposition of cases negotiated and mediated to conclusion by the Board during 1988 are outlined below.

Twenty-three (23) of the twenty-six (26) route, situation or design cases received by the Board during 1986 and concluded during 1988 were in regard to a Saskatchewan Power Corporation proposal to construct an electrical transmission line between Aberfeldy and Lashburn. After extensive involvement by the Board with and among the individuals, groups and agencies involved, Sask Power early in the year decided to indefinitely postpone the proposed project.

One (1) of the twenty-six (26) route, situation or design cases received by the Board during 1986 and concluded during 1988 was in regard to the effects of a Saskatchewan Telecommunications buried cable on potential development and mining of a gravel quarry. In this case the route of the cable was not changed but the landowner agreed that potential development of the gravel quarry was still possible.

Two (2) of the twenty-six (26) route, situation or design cases received by the Board during 1986 and concluded during 1988 were in relation to a Saskatchewan Highways proposal to construct a new highway. The review process resulted in a delay and change to the proposal to the landowners' satisfaction.

Three (3) of the twelve (12) route, situation or design cases received by the Board and concluded during 1988 were in regard to Saskatchewan Highways proposals to construct new highways. In none of these cases did the review and negotiations thereof result in a change to the highway proposals. However, in each of these cases the landowner accepted the necessity and appropriateness of the route and none of the cases resulted in expropriation.

Four (4) of the twelve (12) route, situation or design cases received by the Board during 1988 and concluded during the year were in regard to Saskatchewan Power proposals to construct natural gas transmission lines. One (1) of these cases resulted in a modification while the other three (3) resulted in no change. However, in all of these cases the landowners were satisfied with the decision and no expropriations occurred.

Five (5) of the twelve (12) route, situation or design cases received by the Board and concluded during 1988 were in regard to Saskatchewan Telecommunications proposals to place

underground buried cables. Of these five (5) cases two (2) resulted in no change to the dissatisfaction of the landowner which resulted in expropriation becoming necessary, and three (3) resulted in a change to the satisfaction of the landowners and easement agreements being reached.

The one (1) compensation case received by the Board during 1985 and concluded during 1988 was in regard to a Saskatchewan Power easement for an above ground electrical transmission line. In this case the parties were not able to agree to a settlement and the landowner rejected the Board's recommendations. The landowner obtained the services of legal counsel and a statement of claim was filed in the Court of Queen's Bench. However, the case has not been proceeded with and the landowner's legal counsel and the expropriating authority are in direct negotiations.

Eight (8) of the nine (9) compensation cases received by the Board during 1986 and concluded during 1988 were in regard to compensation for easements and damages resulting therefrom for Saskatchewan Telecommunications buried cables. Four (4) of these cases resulted in an agreement including a payment of compensation in addition to the formal offer to the satisfaction of both the landowner and Saskatchewan Telecommunications. Four (4) of these cases resulted in no change to the amount of compensation paid which was accepted by the landowner and no further actions were taken by the landowners.

One (1) of the nine (9) compensation cases received by the Board during 1986 and concluded during 1988 was in regard to the amount of compensation for the easement and damages resulting therefrom for a drainage ditch constructed by a Conservation and Development Area Authority. An agreement was reached and executed between the landowner and the expropriating authority.

Nine (9) of the eleven (11) compensation cases received by the Board during 1987 and concluded during 1988 were in regard to easements for Saskatchewan Telecommunications buried cables. Five (5) of these cases resulted in an agreement being reached including compensation in addition to the formal offer to the satisfaction of all parties. The remaining four (4) of these cases resulted in no change to the amount of compensation paid which decision was accepted by the landowners concerned.

One (1) of the eleven (11) compensation cases received by the Board during 1987 and concluded during 1988 was in regard to the amount of compensation for a pipeline constructed by a private firm. An agreement between the parties was reached and executed.

One (1) of the eleven (11) compensation cases received by the Board in 1987 and concluded during 1988 was in relation

to a Conservation and Development Area Authority easement for a drainage ditch. In this case the landowner tried to have a previously signed easement agreement withdrawn and replaced by one providing for higher compensation. The Area Authority did not agree to negotiate a new settlement. No further action was taken by the landowner.

ANNUAL REPORT - 1988
PUBLIC AND PRIVATE RIGHTS BOARD
SECTION 6 (3), EXPROPRIATION PROCEDURE ACT

TABLE 1

(A)	Number of investigations undertaken by the Board		34
	Nature of each:		
	Route, situation or design	20	
	Compensation	14	
(B)	Number of claims negotiated by the Board		88
	Nature of each:		
	Route, situation or design	47	
	Compensation	41	

TABLE 2

Number of Investigations undertaken by the Board by
Expropriating Authority Involved, 1988

Expropriating Authority	Route, Situation or Design	Compensation	Total
Conservation & Development Area Authorities	1	1	2
Saskatchewan Highways	4	2	6
Saskatchewan Power Corporation	4	4	8
Saskatchewan Telecommuni- cations	11	6	17
Miscellaneous	0	1	1

TABLE 3

Number of claims negotiated by the Board by
Expropriating Authority Involved, 1988

Expropriating Authority	Route	Compensation	Total
Conservation and Development Area Authorities	1	3	4
Saskatchewan Highways	6	3	9
Saskatchewan Power Corporation	27	5	32
Saskatchewan Telecommunications	13	28	41
Miscellaneous	0	2	2

TABLE 4

Number of investigations undertaken by the Board 1978 - 1988

Year	Route, Situation or Design	Compensation	Miscellaneous	Total
1978	11	12	3	26
1979	3	15	4	22
1980	4	9	3	16
1981	53	55		108
1982	38	58		96
1983	3	8		11
1984	8	22		30
1985	8	12		20
1986	52	31		83
1987	17	17		34
1988	20	14		34

TABLE 5

Number of Investigations undertaken by the Board by
Expropriating Authority Involved, 1978 - 1988

Year	Conservation & Development Area Authorities	Sask Highways	Sask. Power	Sask Tel	Miscellaneous
1978	2	4	1	5	9
1979	3	9	1	3	5
1980	1	5	2	1	3
1981	7	11	80	4	6
1982	33	2	53	8	-
1983	-	-	1	11	-
1984	-	7	5	17	1
1985	1	2	4	11	2
1986	2	12	31	36	2
1987	1	2	1	28	2
1988	2	6	8	17	1

TABLE 6

Number of claims negotiated by the Board 1978 - 1988.

Year	Route, Situation or Design	Compensation	Total
1978	11	12	23
1979	3	15	18
1980	4	9	13
1981	51	51	102
1982	38	58	96
1983	2	8	10
1984	38	28	66
1985	11	33	44
1986	54	48	103
1987	51	50	101
1988	47	41	88

TABLE 7

Number of claims negotiated by the Board by
Expropriating Authority Involved 1978 - 1988.

Year	Conservation & Development Area Authorities	Sask. Highways	Sask. Power	Sask. Tel	Miscellaneous
1978	2	4	1	5	11
1979	3	9	1	3	2
1980	1	5	2	2	3
1981	7	11	80	4	-
1982	33	2	53	8	-
1983	-	-	1	9	-
1984	32	3	5	26	-
1985	1	9	7	25	1
1986	3	15	36	48	1
1987	4	7	34	54	2
1988	4	9	32	41	2